

April 19, 2006  
Case No. GP-304224 (2760/145)  
Serial No.: 10/738,396  
Filed: December 17, 2003  
Page 7 of 11

– REMARKS –

Claim 18 has been amended to independent form.

Applicant thanks the Examiner for the many courtesies shown in the March 21, 2006 interview with their counsel. No agreement was reached relating to the patentability of the claims, but the Examiner did agree that no reference to Riley has been used against these instant claims, and that the citation to a "Riley" reference on page 3, line 2 of the February 23, 2006 office action is erroneous. Thus, the only references cited against these claims remain Treyz and Richard.

A. Claims 1-17 were rejected as anticipated by Treyz under 35 U.S.C.  
§102(e)

The §102(e) rejection of claims 1- 17 is traversed.

In order to maintain this rejection, each and every element of the claimed invention must be disclosed by Treyz in at least as great detail as claimed. Because Treyz does not disclose, at least, "providing the radio station information to the telematics unit responsive to the detected initiation command" as claimed in claims 1, 9 and 17, Treyz cannot anticipate the instant invention.

The Examiner alleges such a disclose at column 42 lines 28-39, column 45 lines 46-65, column 68 lines 49-61, claims 2 and 3, and FIGS. 17 and 24. However, this allegation is misplaced. At most, Treyz discloses providing information to a telematics unit, but not providing received *radio station information*. Treyz discloses an automobile personal computer system for a user to wirelessly interact with merchants, communications facilities, information providers, computers at the home or office, or other entities. The user may purchase products using voice commands or by interacting with displays. Treyz does not disclose that radio station information is provided to the telematics unit responsive to a detected initiation command.

April 19, 2006  
Case No. GP-304224 (2760/145)  
Serial No.: 10/738,396  
Filed: December 17, 2003  
Page 8 of 11

Indeed, Treyz does not disclose receiving radio station information, as claimed in claims 1, 9, and 17. The Examiner's citations to FIGS. 2, 3, column 1 line 40-50 and column 15 lines 24-30 are misplaced. Even if Treyz, *arguendo*, discloses receiving radio signals, Treyz does not disclose receiving radio station information.

Additionally, Treyz does not disclose that the radio station information is broadcast on a sub-carrier band, as claimed in claims 6 and 14. The Examiner's citation to column 21, line 60 to column 22 line 12 and column 58 lines 47-67 are misplaced. At most, Treyz discloses that radio stations broadcast radio signals, but not that radio station information can be broadcast on a sub-carrier band, or that the radio station information can be received on a sub-carrier band.

The Examiner's allegation that Treyz discloses that the radio station information is received via a sub-carrier band of a radio signal, as claimed in claim 18, is mistaken. Instead of receiving the radio station information via a sub-carrier band of a radio signal, Treyz discloses:

When adjusting radio settings using options 342, the station that the user wishes to assign to each button may be selected using drop-down menus or other suitable interfaces. Drop-down menus may, for example, allow the user to select radio stations from a list by specifying the band and frequency of each desired station. Band options may include traditional radio formats such as AM and FM. Band options may also include digital terrestrial radio, satellite broadcast

radio, Internet radio, and other suitable band options. The drop-down menu for band selection may therefore include entries such as AM, FM, DIGITAL, INTERNET, SATELLITE, etc. Terrestrial digital radio may involve digital audio transmissions from terrestrial antennas. Satellite broadcast radio may involve, e.g., digital music channels that are available by subscription. Internet radio stations may involve the rebroadcast of radio content from a regular broadcast source. Internet radio may be received by automobile personal computer 14 over a satellite or terrestrial wireless Internet link and may be decoded using an application that decodes streaming audio content.

April 19, 2006  
Case No. GP-304224 (2760/145)  
Serial No.: 10/738,396  
Filed: December 17, 2003  
Page 9 of 11

Thus, Treyz, at most, discloses that radio settings are adjusted using drop down menus – *not* via a sub-carrier band.

Furthermore, claims 2-8, and 10-16 depend directly or indirectly from claims 1 or 9 respectively, and are therefore allowable over Treyz for at least the same reasons.

Applicant requests the withdrawal of the rejections to claims 1-18.

**B. Claims 19-20 were rejected as unpatentable over Treyz in view of Richard under 35 U.S.C. §103(a)**

The §103(a) rejection of claims 19-20 as unpatentable over Treys in view of Richard is traversed. Claims 19-20 depend directly or indirectly from claims 1 or 18 and are therefore allowable for at least the same reasons as claims 1 or 18.

Additionally, there is no motivation to combine the references as suggested by the Examiner. Richard's teachings of an onboard vehicle computer system are so general as to be devoid of motivations to combine with Treyz.

Claim 19 depends from claim 18, and therefore includes the limitations of claim 18. As outlined above, Treyz fails to teach or suggest that the radio station information is received via a sub-carrier band of a radio signal. Since the Examiner correctly does not rely on Richard for any such teaching, the references alone or in combination fail to teach or suggest each claim limitation.

Claim 20 includes similar limitations as claim 18, as well as requiring that the radio station information includes a radio station telephone number and that the radio station telephone number is passed to the telematics unit via a communication bus in response to an initiation command. Not only does the combination of Treyz and Richard fail to teach or suggest each and every element of claim 20, there is no motivation to combine the references in such a fashion.

April 19, 2006  
Case No. GP-304224 (2760/145)  
Serial No.: 10/738,396  
Filed: December 17, 2003  
Page 10 of 11

First, neither Treyz nor Richard denounce the automobile personal computer system of Treyz or the vehicle computer system of Richard as less than an optimal system. Second, neither reference teaches the desirability of receiving radio station information via a sub-carrier band of a radio signal, nor the desirability of passing a radio station telephone number obtained with the radio station information to a telematics unit in response to an initiation command. Furthermore, a mere allegation that allowing "the user to access a broad spectrum of information in the automobile while traveling on the road" does not even allege that even an improper combination of references results in the claimed invention.

April 19, 2006  
Case No. GP-304224 (2760/145)  
Serial No.: 10/738,396  
Filed: December 17, 2003  
Page 11 of 11

**SUMMARY**

The Examiner's rejections of claims 1-20 have been obviated by remarks herein supporting an allowance of pending claims 1-20 over the art of record. The Applicants respectfully submit that claims 1-20 herein fully satisfy the requirements of 35 U.S.C. §§ 102, 103 and 112. In view of the foregoing, favorable consideration and passage to issue of the present application is respectfully requested. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

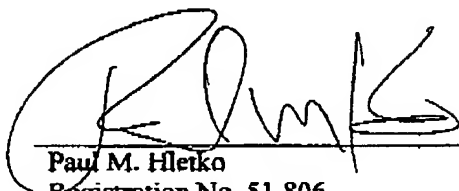
Dated: April 19, 2006

Respectfully submitted,  
WILLIAM E. MAZZARA, JR.

GENERAL MOTORS CORPORATION  
General Motors Legal Staff  
Mail Code 482-C23-B21  
300 Renaissance Center  
P.O. Box 300  
Detroit, MI 58265-3000  
Phone: (313) 665-4714

\_\_\_\_\_  
Anthony Luke Simon  
Registration No. 34,434  
Attorney for Applicants

CARDINAL LAW GROUP  
Suite 2000  
1603 Orrington Avenue  
Evanston, Illinois 60201  
Phone: (847) 905-7111  
Fax: (847) 905-7113

  
\_\_\_\_\_  
Paul M. Hietko  
Registration No. 51,806  
Attorney for Applicants